

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JOSHUA M. HEALY,

Plaintiff,

v.

Case No. 20-C-587

APRIL L. COOK,

Defendant.

**ORDER DENYING PLAINTIFF'S MOTION TO APPOINT COUNSEL AND
GRANTING PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME**

Plaintiff Joshua M. Healy, who is currently representing himself and serving a state prison sentence at Stanley Correctional Institution, filed the instant action pursuant to 42 U.S.C. § 1983. This matter is before the court on Plaintiff's fourth motion to recruit counsel. The court has denied Plaintiff's previous motions to recruit counsel, concluding that Plaintiff is competent to proceed *pro se* and that the case is not sufficiently complex to warrant court-recruited counsel. Although Plaintiff asserts for the first time that he has an eighth grade reading level, has ADD, and has trouble understanding things, Dkt. No. 30 at 1, he has not alleged that he is incompetent. Again, the question here is whether the plaintiff would be unable to coherently present the case to a judge or jury. Plaintiff's filings are clear and he has been able to communicate his arguments to the court. Plaintiff's claims are straightforward and the facts giving rise to that claim are largely within his personal knowledge. Nothing suggests that Plaintiff lacks the capacity to litigate this case. Therefore, Plaintiff's motion to recruit counsel is denied without prejudice. The court will, however, extend the deadlines in the case by sixty days to allow Plaintiff to attempt to secure counsel on his own.

IT IS THEREFORE ORDERED that Plaintiff's motion to recruit counsel (Dkt. No. 30) is **DENIED without prejudice**. Plaintiff's motion for an extension of time is **GRANTED**.

Discovery is due by March 15, 2021. Motions are due by April 16, 2021.

Dated at Green Bay, Wisconsin this 16th day of December, 2020.

s/ William C. Griesbach

William C. Griesbach
United States District Judge